U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III

OIL PROGRAM UPDATE

March 2002

www.epa.gov/oilspill/docs/ For this and related Newsletters

IN THIS ISSUE

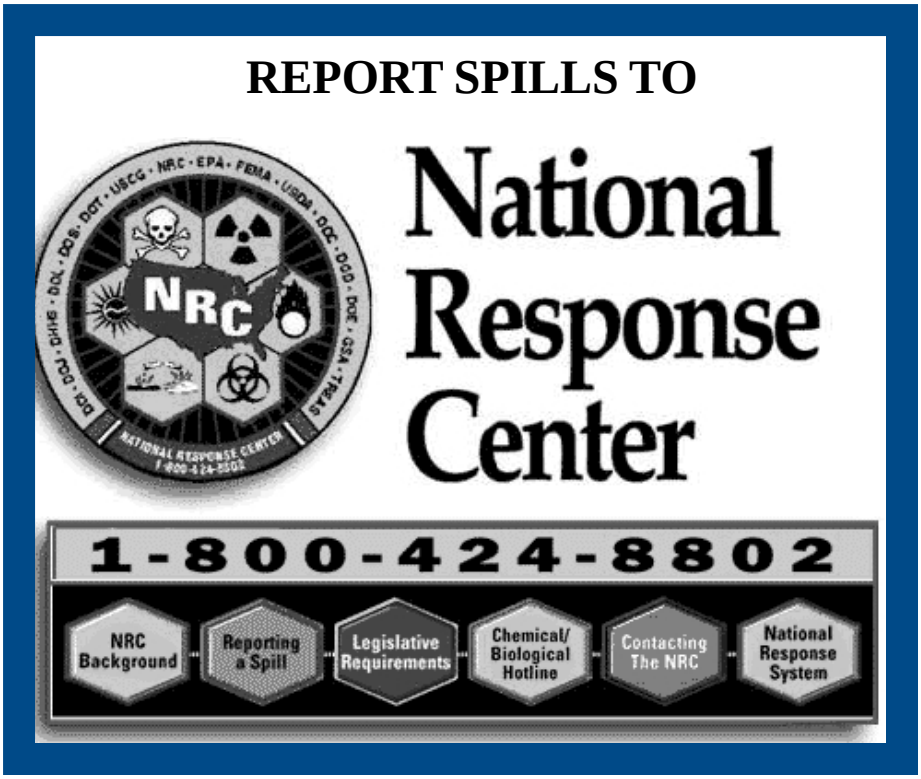
About this Newsletter

The Oil Program Activities newsletter is published quarterly. Circulation 3,000 / quarter plus e-mail and other links.

The publication is free.

David Wright, Chief
Removal Enforcement and Oil Section
US EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Wright.David@epa.gov
(215) 814-3293

Paula Curtin, Editor
Spill Enforcement Coordinator
US EPA Region III
1060 Chapline Street
Wheeling, WV 26003
Curtin.Paula@epa.gov
(304) 234-0256



EPA/OPS Jurisdictional Agreement

On February 4, 2000, EPA and the Office of Pipeline Safety co-signed a document to clarify jurisdictional issues over breakout tanks and bulk oil storage tanks at transportation-related and non-transportation related facilities. Various scenarios are included showing pipelines, tanks and other areas under EPA, OPS or joint jurisdiction. This document is available on the Oil Spill Program website at www.epa.gov/oilspill.index.htm under the SPCC Guides and Survey section.

Underground Tank and Piping Protection

Some SPCC regulated facilities state in their Plans that they feel that soil conditions do not warrant any underground protection without any explanation or confirmation by a certified corrosion engineer or a professional engineer with the appropriate training.

40 CFR §112.7(e)(2)(iv) states that "a new buried installation should be protected from corrosion by coatings, cathodic protection or other effective

Continued on Page 2

methods compatible with local soil." 40 CFR §112.7(e)(3)(i) states that "buried piping installations should have a protective wrapping and coating and should be cathodically protected if soil conditions warrant." The Proposed Rules clarify the existing regulation by generally substituting the words "requirements" and "shall" for "guidelines" and "should".

Some commercial associations and applicable documents are listed below to help facilities in their determination:

National Association of Corrosion Engineers (NACE)

International Standards
Phone Number: (713) 492-0535
Internet address: http://www.nace.org

RP-0169-92 - Standard Recommended Practice-Control on External Corrosion on Underground or Submerged Metallic Piping Systems
RP-0285-95 - Standard Recommended Practice-Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems
RP-0286-86 - The Electrical Isolation of Cathodically Protected Pipelines
RP-0190-95 - External Protective Coatings for Joints, Fittings, and Valves on Metallic Underground or Submerged Pipelines and Piping Systems
Reports
10A190 - Measurement Techniques Related to Criteria for Cathodic Protection of Underground or Submerged Steel Piping Systems (as defined in NACE Standard RP0169-83)
10A292 - Corrosion Control of Ductile and Gray Cast Iron Pipe

American Petroleum Institute (API)

Publications: (202) 682-8000
Internet address: http://www.api.org
RP 1632 - Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems

American Society for Testing and Materials (ASTM)

Phone Number: (610) 832-9500
Internet address: http://www.astm.org

ASTM Standard G-51-92 - pH of Soil for Use in Corrosion Testing
ASTM Designation ES40-94 - Emergency Standard Practice for Alternative Procedures for the Assessment of Buried Steel Tanks Prior to the Addition of Cathodic Protection (Currently in Draft)

SPCC/FRP Plan Review Reminder

Management must review and evaluate the Spill Prevention, Control, and Countermeasure (SPCC) Plan at least once every three years from the date such facility becomes subject to the SPCC regulations [40CFR§112.5]. A record of review should be maintained in the beginning of the Plan showing the reviewer's signature, date signed, and list of any changes. The Plan must be amended whenever there is a change in facility design, construction, operation or maintenance which materially affects the facility's potential for the discharge of oil. Amendments should be implemented no later than six (6) months after the change occurs and must be certified by a professional engineer. Examples of changes requiring Plan amendment include tank installations, tank removals, or tanks taken out-of-service permanently or for an extended period of time. Other changes, such as names and phone numbers, can be changed without an engineer's certification. The SPCC Plan and revisions do not have to be submitted unless specifically requested by EPA or required by 40CFR§112.4. [Note: The proposed rules may be finalized in the near future and may change the above mentioned requirements.]

The Facility Response Plan (FRP) must be revised and the revised portions of the FRP resubmitted within 60 days of each change that materially may affect the response to a worst case discharge [See 40 CFR§112.20(d)(1)(i-v)]. Management should review the FRP annually to reflect changes in the facility and maintain a record of review in the FRP showing the reviewer's signature, date signed, and a list of any changes. Note that the FRP does not require an engineer's certification because all FRP's will be reviewed by EPA every five (5) years.

PREP Unannounced Exercises

Two unannounced exercises were conducted in cooperation with representatives of MSO Huntington District U.S. Coast Guard during the week of November 12, 2001 following the guidelines of the National Preparedness for Response Exercise Program (PREP). These exercises were held at oil storage facilities which are required to develop and maintain a Facility Response Plan (FRP) as required by the Oil Pollution Act of 1990.

Fifteen facilities received notification of the upcoming exercises. The objectives required each facility to demonstrate an ability to conduct proper notifications to respond to a *small discharge* of 2,100 gallons (or *average most probable discharge* for marine transportation regulated facilities) as detailed in the FRP, activate the facility's Spill Management Team and Oil Spill Removal Organization (OSRO), and conduct a timely response with the appropriate amount of equipment following procedures outlined in the FRP.

EPA and USCG evaluators were particularly interested in:

- prompt notifications,
- the timely deployment of equipment and personnel,
- use of the FRP Emergency Response Action Plan (ERAP) during the response,
- assessment and determination of protection booming strategies in accordance with the operating environment and surrounding sensitive areas,
- communication among personnel and contractors,
- and final documentation.

The purpose of the unannounced exercises is to evaluate the facility's response readiness during the initial response. **The facility should respond to the scenario provided as though it were an actual event.**

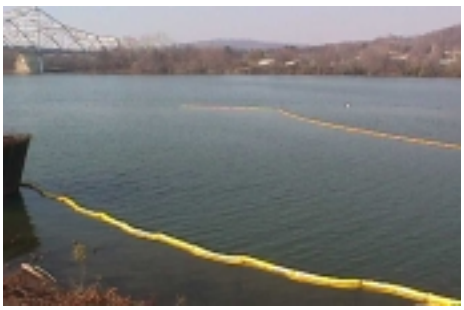
The St. Mary's Refining Company in St. Mary's, Pleasants County, WV was a USCG-led exercise and the exercise with the Cabot Corporation in Waverly, Pleasants County, WV was an EPA-led spill scenario. Upon arrival of the EPA and USCG representatives at each location, time was taken to discuss the scenario, objectives and scope of the exercise. Each drill began after all questions were answered and the drill requirements were understood.

Personnel at both facilities began initial response efforts and notifications simultaneously. Radio communication was utilized at both facilities, OSROs were on-scene within an hour with both containment and recovery equipment and the exercises lasted no more than 2 ½ hours.

Both facilities were able to initially respond with the appropriate containment equipment in the time frame required by 40 CFR 112.20 Appendix E for facility response planning. It was questionable whether one of the facilities met the requirements of 40 CFR 112.20 Appendix E Section 3.3 for the arrival time of recovery equipment. It is important that facilities arrange for oil recovery devices (with an effective daily recovery capacity equal to the amount of oil discharged in a small discharge) to be available at the facility within two hours of detection of the spill. The kind of recovery equipment required is dependent on the type of oil stored at the facility. For example, a vacuum truck and skimmer is not the appropriate recovery method for Group V oils with a specific gravity > 1.0.

Completion and documentation of the exercise allows each facility to take credit for meeting exercise requirements of the regulation as described in the PREP guidelines including the equipment deployment and notification exercises. A facility that successfully completes an unannounced exercise will not be subject to another unannounced exercise within the next 36 months.

For any additional questions regarding the EPA Region III Unannounced Exercises please call Patricia Fleming at (215) 814-2816.



U.S. EPA Region III, Regional Contingency Plan

If you haven't been here, take a look. This file, a linked version of the Regional Contingency Plan , can now be shared via e-mail in two zip files, a recent addition is availability on CD, and on the following webpage.

For comments and further information, contact: Gary Ott, USCG Training Center, Yorktown, VA, 23690 or gary_ott@hazmat.noaa.gov

http://www.uscg.mil/lantarea/rrt/rcp/SiteIndex.html

SPCC
QUESTIONS AND ANSWERS

Q. What are the requirements for certifying the Plan by a registered professional engineer (P.E.)?

The engineer should be familiar with the provisions of 40 CFR 112, must have examined the facility and be a registered professional engineer in at least one state. The engineer need not be registered in the state in which the facility is located. The engineer's name, registration number, and state of registration must be included as part of the SPCC Plan (Section 112.3). In addition, the engineer's **seal** must be affixed to the Plan as part of the certification.

Q. Must secondary containment be provided for transfer operations (i.e., for a tanker truck loading/unloading at a facility)?

Yes, The secondary containment system should be designed to hold at least maximum capacity of any single compartment of a tank car or tank truck loading or unloading at the facility. This is not to say that a truck must park within a diked area for loading/unloading. The regulation allows flexibility here for diversion structures such as curbing or diking to channel a potential spill to a secondary containment structure. Transfer of oil to water transportation vessels is not covered under the SPCC regulations.

What to Expect During an SPCC Inspection

Spill Prevention Control and Countermeasure (SPCC) inspections are conducted pursuant to the Oil Pollution Prevention Regulation of the Clean Water Act as amended by the Oil Pollution Prevention Regulation of the Clean Water Act as amended by the Oil Pollution Act of 1990. The inspections have two purposes. First, they help to ensure that oil storage facilities, refineries, electrical utilities and oil production fields, among other subject industries, are in compliance with 40 Code of Federal Regulations (CFR) Part 112. Second, onsite inspections give EPA representatives the opportunity to educate owners and operators about the regulations and methods for ensuring compliance. Facilities which are subject to SPCC may receive notice of an inspection by a U.S. Environmental Protection Agency (EPA) inspector or by an EPA contractor. However, some EPA regions always conduct unannounced inspections in order to gauge a facility's preparedness to prevent or respond to an oil spill. Inspections may be conducted by one or more EPA representatives.

All EPA personnel and EPA representative inspectors are trained in accordance with 29 CFR 1910.120 pursuant to the Occupational Safety and Health Act (OSHA) and carry personal protective equipment (PPE) consisting of hard hats, steel-toed boots/shoes, and NOMEX coveralls when necessary. The facility should inform the inspector(s) of any specific safety-related considerations regarding clothing or equipment.

To be prepared for an SPCC inspection, your facility should have a copy of the SPCC Plan for your operations available for review by the inspector(s). Additionally, any other relevant documentation of your operating procedures, spill prevention measures, personnel training, inspection procedures, drainage discharges, and spill incidents should be made available.

The inspection usually begins with a meeting and/or a review of the facility's SPCC Plan in order for the inspector(s) to become familiar with your facility's operations, including aboveground and underground equipment (i.e., tanks, pipelines, oil-water separators, etc.).

A site diagram that identifies your tankage, diversionary structures, and drainage patterns will facilitate the inspection. A site diagram should be included in the SPCC Plan.

After the opening meeting, the inspector(s) conducts a walk-through of your facility in order to observe and document the SPCC measures and equipment discussed in your SPCC Plan and during the opening meeting to ensure these measures have been implemented. Occasionally, inspectors will request facility approval to take photographs. A debriefing meeting is usually held to close the inspection and to discuss observations made by the

Portions of this newsletter were taken from information found at:

http://www.epa.gov/oilspill/index.htm

http://www.dep.state.wv.us/pio/index.html

http://www.epa.gov

http://www.npms.rspa.dot.gov

http://www.epa.gov/ceppo

http://www.epa.gov/oilspill

http://www.dep.state.pa.us

http://www.api.org

inspector(s).

For the meetings and the facility tour, facility personnel who are familiar with your facility's SPCC measures, diversionary structures, and standard operating procedures should be available to escort the inspectors. Having knowledgeable facility personnel available will minimize any delay in responding to the inspector's questions and ensure that the correct information is provided.

The inspector(s) will evaluate your facility's SPCC Measures and Plan and the condition of your storage tanks and other equipment containing oil, diversionary structures, and truck loading/unloading areas. Most importantly, the inspector will evaluate your facility design, drainage patterns, operating procedures and SPCC measures for their ability to prevent the release of oil to storm drains (onsite or offsite), creeks, streams, ditches, rivers, bays, or other waterways. This evaluation, which considers the potential for equipment failure and/or operator error, may be summarized in an inspection letter or a more detailed report containing photographs of your facility.

EPA views inspections as coeducational. Inspectors can learn from industry experience and facilities can learn from the EPA the adequacy of certain methods for preventing and controlling discharges. Furthermore documentation of violations motivates facilities to conduct corrective actions for compliance and provides the EPA with a legal basis for enforcement. The EPA strives to work with facility owners and operators to remedy any problems identified during an inspection in order to avoid the need for legal enforcement action.

EPA gives Pennsylvania refiner relief in making low-sulphur fuel

29-11-01 The Environmental Protection Agency said it will give a small oil refiner in Pennsylvania more time to meet stricter government requirements for producing low-sulphur gasoline. This marks only the third time the agency has provided such regulatory relief. United Refining, based in Warren, Pennsylvania, won the temporary relief by demonstrating it would incur extreme hardships in complying with the new clean-fuel rule at its 65,000 bpd refining plant. EPA has established federal limits aimed at reducing gasoline sulphur levels beginning in 2004 and cutting them by 90 % by 2006. A refiner applying for hardship relief must demonstrate that it has made its best effort to comply with the requirements of the new regulation.

United Refining is a subsidiary of Red Apple Group. Most of the gasoline produced by United is distributed to its 350 KwikFill gas stations in New York, Pennsylvania and Ohio. EPA previously granted two similar hardship approvals last May to the National Cooperative Refinery Association and the Wyoming Refining.

Source: Reuters

Oil & Gas Museum
119 Third Street
Parkersburg, WV 26101
(304) 485-5446

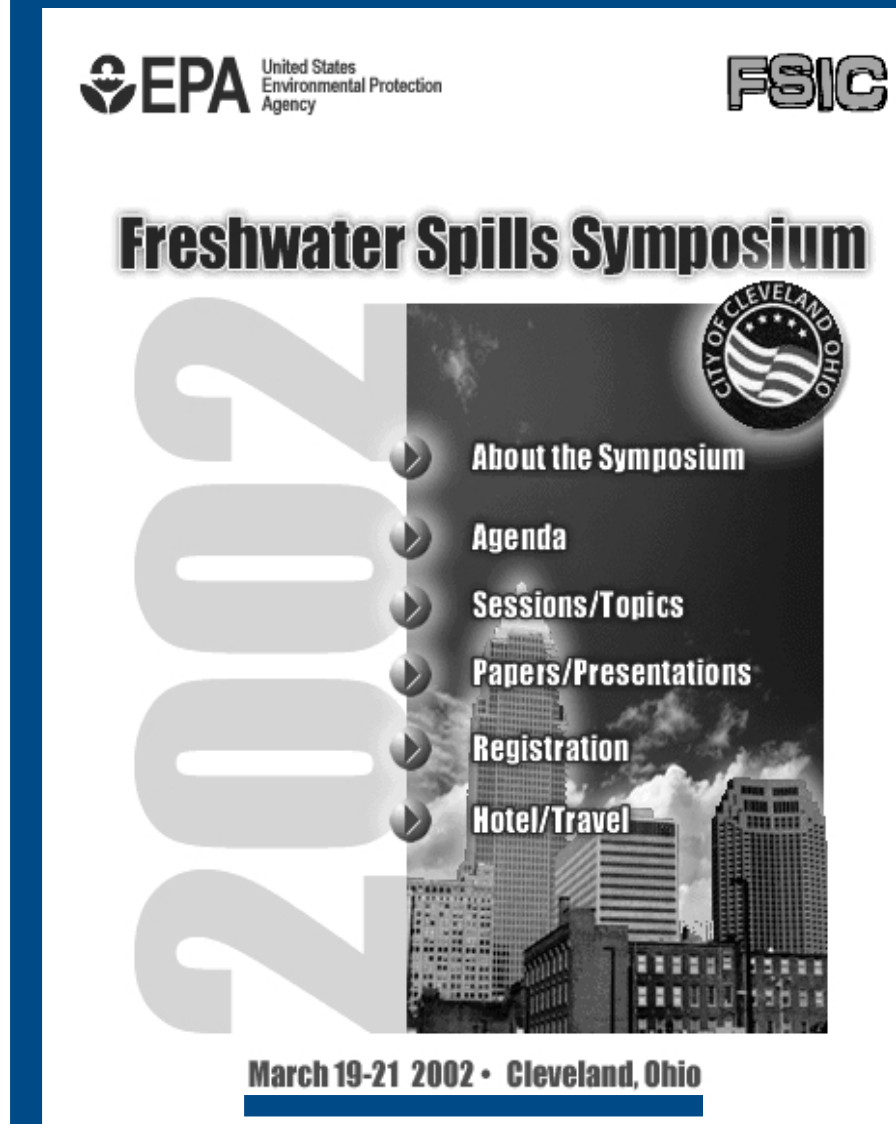
Both the WV Oil and Gas Museum and the Drake Well Museum provide a unique look at the history of the Oil and Gas Industry in West Virginia and Pennsylvania. The Museums tell the story of the beginning of the modern oil industry, provide orientation videos, exhibits, and many other special displays and photos. Plan to spend the day learning about the exciting history of oil and gas.

Drake Well Museum
205 Museum Lane
Titusville, PA 16354
(814) 827-2797

Need Oil Program Information?

Have a question on Spill Prevention, Control and Countermeasures (SPCC) 40 CFR 112.1 or Facility Response Plans (FRP) 40 CFR 112.20? EPA Region III has in place a hotline to answer these and other oil related questions. The hotline is staffed by the very people that will inspect your facility and review your spill plans.

The hotline number is (215) 814-3452.



HOPE WE SEE YOU THERE

VISIT

http://www.freshwaterspills.net/fss2002/index.htm

Need A Good Link To Other Oil Related Associations

Try This One

http://www.oil-report.com/

Note! Each of the following have been listed as sponsors for this site and have an immediate Link to their webpage, one-stop-shopping.

TRADE ASSOCIATIONS
Petroleum Services Association of Canada
University of Texas at Austin Society of Petroleum Engineers
American Association of Petroleum Geologists
American Chemical Society
American Gas Association
American Institute of Chemical Engineers
Australian Institute of Petroleum
Alaska Oil and Gas Association
American Petroleum Institute
American Society of Mechanical Engineers
Utah State Office of Oil and Gas
Canadian Electricity Association
Canadian Association of Petroleum Producers
Canadian Energy Research Institute
U.S. Department of Energy
Energy Information Administration
California Energy Commission
Electric Power Supply Association
Federal Energy Regulatory Commission
FachHochschule Offenburg: Univ. of Applied Sciences
Gas Research Institute
Geophysical Society of Houston(GSH)
Geoscience Information Center
Houston Geologic Society (HGS)
International Association of Drilling Contractors
International Association for Energy Economics
International Council of Chemical Associations
International Energy Agency
International Gas Union
International Marine Contractors Association
Interstate Natural Gas Association of America
Independent Petroleum Association of America
International Pipe Line and Offshore Contractors Association
ITA Energy
American Association of Professional Landmen

Louisiana Independent Oil and Gas Association
Louisiana Mid_Continent Oil and Gas Association
The Mid_Atlantic Petroleum Distributor's Association
MMS_Minerals Management Service
NCCEM
Natural Gas Supply Association
New Mexico Oil and Gas Association
National Petroleum Council
The Norwegian Oil Industry Association
Mid_Continent Oil and Gas Association of Oklahoma
Offshore/Onshore Technologies Association of Nova Scotia
The Organization of the Petroleum Exporting Countries
Petroleum Engineers International
Petroleum Equipment Institute
The Institute of Petroleum
Petroleum Marketers Association of America
National Petrochemical and Refiners Association
Railroad Commission of Texas
Society of Exploration Geophysicists
Southern Gas Association
Society of Petroleum Engineers
Texas Independent Producers and Royalty Owners Association
Texas Chemical Council
United Kingdom Offshore Operators Association

Tank Barge Emergencies Seminar

On **March 23, 2002**, the Three Rivers Pollution Response Council will sponsor a seminar aboard the Gateway Clipper Fleet. Items to be covered include:

* Environmental and Hazardous Ma terials in Pittsburgh Port
* Tank Barge Construction
* Chlorine Barge Construction
* Crew and Facility Responsibilities for Handling Tank Barges
* Waterway Response and Demonstration

COST: $20.00, Continental Breakfast, Full Lunch aboard the "Majestic".

Time: Register: 7:30 am, Seminar 8:00 am to 4:00 pm.
For further information:
Wm. Burket: (412) 777-7475
Wm. Hendon: (412) 384-2520
John Black: (724) 695-2721

Region III Oil Program Contacts:

Dave Wright ***(215) 814-3293***
- Chief, Removal Enforcement and Oil Section

Cordy Stephens ***(215) 814-3276***
- Secretary

Sarah Caspar ***(215) 814-3283***
- SPCC Inspections
- FRP Inspections
- Outreach

Frank Cosgrove ***(215) 814-3284***
- SPCC/FRP Inspections and Plan Review
- SPCC Enforcement Support
- Outreach

Paula Curtin ***(304) 234-0256***
- Oil Enforcement Coordinator
- OPA Spill Penalty Program
- Spill Investigations
- Oil Program Activities Newsletter
- Outreach

Patricia Fleming ***(215) 814-2816***
- SPCC Inspections
- FRP Inspections
- Outreach

Frank Howard ***(215) 814-3162***
- SPCC/FRP Inspections and Plan Reviews
- SPCC Enforcement Support

Betty Polkowski ***(215) 814-3102***
- Outreach and Data Entry

Glen Robinson ***(304) 234-0253***
- Spill Investigations
- SPCC/FRP Inspections and Plan Review
- SPCC Enforcement Support
- Outreach

Eduardo Rovira ***(215) 814-3436***
- SPCC Inspections
- FRP Inspections
- Outreach

Jean Starkey ***(215) 814-3292***
- SPCC Coordinator
- OPA Spill Penalty Program
- SPCC Enforcement
- Multi-Media Enforcement
- Outreach

Linda Ziegler ***(215) 814-3277***
- Facility Response Plan (FRP) Coordinator
- Oil Pollution Act
- RRT, Area Committees, Port Area Committee
- Spill Response Countermeasure (Dispersants)
- Outreach

SIGN UP FOR OUR MAILING LIST

Oil Program Update will be published on a quarterly basis by EPA Region III.

Our goal is to provide interesting, informative, and often timely information to the Oil and Gas Industry, regulators.

To sign up for our mailing list, **fill out this form and mail it to:**

Paula Curtin
U.S. Environmental Protection Agency
1060 Chapline Street
Wheeling, WV 26003

Federal ____ State Government ____ Industry ____ Medical ____

Local Government ____ First Response/LEPC ____ Other /Environmentalists __

Name: _____

Company/Agency: _____

Address 1: _____

Address 2: _____

City: _____ St. ____ Zip: _____

Phone: _____

Fax: _____

E-Mail: _____

PLEASE NOTE

If you prefer to receive this document electronically, please make your request to: curtin.paula@epa.gov

Return Service Requested

U.S. EPA Region III
3HS32
1060 CHAPLINE STREET
WHEELING, WV 26003